Applicants : Kenichiro Kosai et al. Attorney Docket No.: 55801-002US1
Serial No. : 10/567,010 Client Ref. No.: PCT04TL1

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## AMENDMENTS TO THE CLAIMS

This listing of claims replaces all prior versions and listings of claims in the application.

## Listing of claims

1-17. (Cancelled)

- 18. (Currently amended) A method of preparing a proliferation-regulated recombinant adenoviral vector, comprising the steps of: preparing a proliferation-regulated plasmid by[[,]] (a) preparing an expression cassette restriction enzyme-recognizing unit in a plasmid that includes, in order from upstream to downstream, an E1A region, at least one protein-coding region in a E1B region or the entire E1B region, a poly(A) signal sequence, and a recombinase-recognizing sequence, by replacing [[both]] an endogenous promoter in the E1A region and an endogenous promoter regulating expression of [[the]] a protein-coding gene in the at least one protein-coding region in the E1B region with a first and a second multiple cloning site, respectively restriction enzyme-recognizing sequences, and (b) introducing a first and a second promoter, each of which expresses[[ing]] specifically in a target organ, into the first and second multiple cloning sites, respectively restriction-enzyme-recognizing unit; and integrating the proliferation-regulated plasmid into a plasmid containing an E1 region-deleted adenoviral genome.
- $19. \ \mbox{(Previously presented) The method of claim 18, wherein the E1A region lacks a Rb protein-binding sequence.}$
- 20. (Currently amended) The method of claim 19, wherein the protein-coding region in the E1B region includes a 19KDa protein-coding region and/or a 55KDa protein-coding region.

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21. (Currently amended) The method of claim 18, wherein the restriction enzyme-recognizing sequences first or the second multiple cloning site includes a bluntend restriction enzyme site.

- (Previously presented) The method of claim 18, wherein the recombinaserecognizing sequence is LoxP, LoxH, or a mutant sequence thereof.
- 23. (Currently amended) A method of preparing a proliferation-regulated recombinant adenoviral vector having an integrated therapeutic gene, comprising the steps of: (a) preparing a proliferation-regulated plasmid by (i) preparing an expression cassette restriction enzyme-recognizing unit in a plasmid that includes, in order from upstream to downstream, an E1A region, at least one protein-coding region in a E1B region or the entire E1B region, a poly(A) signal sequence, and a recombinaserecognizing sequence, by replacing [[both]] an endogenous promoter in the E1A region and an endogenous promoter regulating expression of [[the]] a protein-coding gene in the at least one protein-coding region in the E1B region with a first and a second multiple cloning site, respectively restriction enzyme-recognizing sequences, and (ii) introducing a first and a second promoter, each of which expresses[[ing]] specifically in a target organ. into the first and second multiple cloning sites, respectively restriction enzymerecognizing unit: (b) preparing a first therapeutic gene-expressing plasmid by (i) preparing a therapeutic gene -expressing expression cassette [[unit]] by inserting into a plasmid in order from upstream to downstream a recombinase-recognizing sequence and a third multiple cloning site restriction enzyme recognizing sequence, (ii) inserting, in order from upstream to downstream, a constitutive high-expression strong promoter or a therapeutic gene-expressing promoter and a therapeutic gene into the third multiple cloning site restriction enzyme-recognizing sequence of the therapeutic gene-expressing unit.: (c) preparing a second therapeutic gene-expressing plasmid by allowing a recombinase to react with the proliferation-regulated plasmid and the first therapeutic

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gene-expressing plasmid; and (d) integrating the second therapeutic gene-expressing plasmid into a plasmid containing an E1 region-deleted adenoviral genome.

24. (Previously presented) The method of claim 23, wherein the E1A region lacks a Rb protein-binding sequence.

- (Currently amended) The method of claim 24, wherein the protein-coding region in the E1B region includes a 19KDa protein-coding region and/or a 55KDa protein-coding region.
- 26. (Currently amended) A method of preparing a proliferation-regulated recombinant adenoviral vector having an integrated therapeutic gene, comprising the steps of: (a) preparing a proliferation-regulated adenoviral vector plasmid by (i) preparing obtaining a proliferation-regulated plasmid by preparing an expression cassette restriction enzyme-recognizing unit in a plasmid that includes, in order from upstream to downstream, an E1A region, at least one protein-coding region in a E1B region or the entire E1B region, a poly(A) signal sequence, and a recombinase-recognizing sequence, by replacing [[both]] an endogenous promoter in the E1A region and an endogenous promoter regulating expression of [[the]] a protein-coding gene in the at least one protein-coding region in the E1B region with a first and a second multiple cloning site, respectively restriction enzyme recognizing sequences, and introducing a first and a second promoter, each of which expresses[[ing]] specifically in a target organ, into the first and second multiple cloning sites, respectively restriction enzyme-recognizing unit, and (ii) integrating the proliferation-regulated plasmid into a plasmid containing an E1 region-deleted adenoviral genome: (b) preparing a therapeutic gene-expressing plasmid by (i) preparing a therapeutic gene -expressing expression cassette [[unit]] by inserting into a plasmid in order from upstream to downstream a recombinase-recognizing sequence and a third multiple cloning site restriction enzyme-recognizing sequence, (ii) inserting, in order from upstream to downstream, a constitutive high-expression strong

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promoter or a therapeutic gene-expressing promoter and a therapeutic gene into the third multiple cloning site restriction enzyme-recognizing sequence of the therapeutic gene-expressing unit; and (c) allowing a recombinase to react with the proliferation-regulated adenoviral vector plasmid and the therapeutic gene-expressing plasmid.

- 27. (Previously presented) The method of claim 26, wherein the E1A region lacks a Rb protein-binding sequence.
- 28. (Currently amended) The method of claim 27, wherein the protein-coding region in the E1B region includes a 19KDa protein-coding region and/or a 55KDa protein-coding region.
- 29. (Currently amended) The method of claim 26, further comprising the steps of: wherein step (c) is accomplished by mixing the proliferation-regulated adenoviral vector of step (a) plasmid and the first proliferation-regulated adenoviral therapeutic gene-expressing plasmid of step (b), allowing a recombinase to react with the mixture, and then; transforming the plasmids mixture into a cell each other.
- 30. (Currently amended) The method of claim 26, further comprising the steps of wherein step (c) is accomplished by cotransfecting the proliferation-regulated adenoviral vector of step (a) plasmid and the therapeutic gene-expressing plasmid of step (b) into a recombinase-expressing cell.
- 31. (Previously presented) The method of claim 30, wherein the recombinase-expressing cell is prepared by making an adenoviral E1-region protein-expressing cell additionally express a recombinase.
- (Currently amended) The method of claim 23, wherein the recombinaserecognizing sequence in the plasmid-containing a first therapeutic gene-expressing

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<u>plasmid</u> [[unit]] is different from the recombinase-recognizing sequence in the proliferation-regulated plasmid.

33. (Previously presented) The method of claim 32, wherein the E1A region lacks a Rb protein-binding sequence.

- 34. (Currently amended) The method of claim 33, wherein the protein-coding region in the E1B region includes a 19KDa protein-coding region and/or a 55KDa protein-coding region.
- 35. (Currently amended) The method of claim 23, wherein a drug tolerance gene in the proliferation-regulated plasmid and a drug tolerance gene in the <u>first</u> therapeutic gene-expressing [[unit]] <u>plasmid</u> are different from each other, and Ori in the <u>first</u> therapeutic gene-expressing [[unit]] <u>plasmid</u> can duplicate pir genes such as R6Kγ only in competent cell.
- 36. (Previously presented) The method of claim 35, wherein the E1A region lacks a Rb protein-binding sequence.
- 37. (Currently amended) The method of claim 36, wherein the protein-coding region in the E1B region includes a 19KDa protein-coding region and/or a-55KDa protein-coding region.

38-51. (Cancelled)